

**REMARKS**

Claims 1, 2 and 5-7 stand rejected under 35 U.S.C. 102(b) as being anticipated by Yokota et al. (U.S. Patent No. 5,646,921). Applicants respectfully traverse the rejection because Yokota is directed to a method and apparatus for reproducing information recording on a constant linear velocity (CLV) disc type record medium, whereas the present invention is directed to a rotation control method for controlling rotation of a constant angular velocity (CAV) system recording medium.

Yokota proposes a method of reproducing information from a disc type recording medium, which is recorded using a constant linear velocity (CLV), as clearly described in the abstract, column 1, lines 8-11, column 2, lines 9-13, and claim 1, for example. More specifically, Yokota requires a CLV system recording medium. Yokota does not disclose or teach reproducing information from a record medium which is recorded using a CAV disc system. Although in column 2, lines 53-55 Yokota refers to "CAV", this merely refers to a CAV type reproducing operation that operates with a CLV type recording medium, and not to a CAV system recording medium, as recited in claim 1.

In contrast, the present invention is directed to a rotation control method for controlling rotation of a CAV system recording medium which has a plurality of zones divided in a radial direction thereof. The rotation control method detects a state within a memory which temporarily stores write data to be written on the recording medium and/or read data read from the recording medium. The method also switches and controls

a rotational speed of the recording medium based on the detected state, depending on an area which is accessed of a plurality of areas of the recording medium dividing the recording medium in the radial direction thereof.

According to the present invention, it is possible to set an optimum data transfer rate and an optimum random access performance depending on the state of use of the recording medium. In addition, by detecting the state of use of the memory, a rotational speed switching or changing time is inconspicuous when considered at a host unit. This makes it possible to secure a desired data transfer rate without deteriorating the data transfer rate with respect to the host unit. (See page 3, lines 27-37 of Applicants' specification).

Since Yokota fails to disclose or teach a method for a CAV system recording medium, as recited in claim 1, withdrawal of the §102 rejection to independent claim 1 and its associated depending claims 2-7 is respectfully requested.

Claims 3 and 4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yokota, in view of Syobatake et al. (U.S. Patent No. 5,083,269).


Since claims 3 and 4 ultimately depend upon claim 1, they necessarily include all of the features of their associated independent claim plus additional features. Thus, Applicants submit that the §102 rejection of claims 3-4 has also been overcome for the same reasons mentioned above to overcome the rejection of independent claim 1, and also because Syobatake fails to overcome the deficiencies of Yokota. Applicants respectfully request that the §103 rejection of claims 3-4 also be withdrawn.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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